APPENDIX A — UNITED STATES DEPARTMENT OF LABOR OWCP NOTICE 42 DATED JUNE 9, 1980

Benefits Review Board Service

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION

Office of Workers' Compensation Programs
Division of Longshore and Harbor Workers' Compensation

Washington D.C. 20210

June 9, 1980

No. 42

NOTICE TO INSURANCE CARRIERS AND SELF-INSURED EMPLOYERS UNDER THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Subject: Penalty Provisions of Section 14(f) of the Longshoremen's and Harbor Workers' Compensation Act

This notice is to inform interested parties of the policy of the Office of Workers' Compensation Programs (OWCP) with respect to assessing penalties against self-insured employers/carriers as provided by Section 14(f) of the Longshoremen's and Harbor Workers' Compensation act (LHWCA).

Section 14(f) of the LHWCA provides that if compensation payable under the terms of an award is not paid within 10 days after it becomes due, absent the initiation of review proceedings

and the issuance of a stay of payments order, then an additional twenty percent of the past due compensation is also payable.

Payment becomes due when the Order is filed in the Office of the Deputy Commissioner. No distinction is made between an award evolved by agreement of the parties such as an agreed settlement of an award resulting from a hearing.

No distinction is made between payment by check or by draft. If the check or draft is honored by the bank on which drawn, the time of payment relates back to the date the check or draft is received by the payee. If the check or draft is not promptly honored by the drawee bank, payment is not considered to have been made until the check or draft is honored.

If the tenth day is a Saturday, Sunday or legal holiday, compensation is due on the first business day following that date. This is in accordance with Rule 6(a) of the Federal Rules of Civil Procedure.

s/ Neil A. Montone
NEIL A. MONTONE
Associate Director,
Longshore and Harbor
Workers' Compensation

APPENDIX B — LETTER FROM MARCIA D. FINN, ACTING DISTRICT DIRECTOR/LHWCA DATED MAY 14, 1997

U.S. Department of Labor

Employment Standards Administration
Office of Workers' Compensation Programs
JFK Federal Building, Room E-260
Boston, MA 02203

File Number:

May 14, 1997

To Whom It May Concern:

OWCP Notice No. 42, *Penalty Provisions of Section 14(f) of the Longshore and Harbor Workers' Compensation Act,* as it appears in the 10/96 revised Benefits Review Board Service is currently in effect.

s/ Marcia D. Finn
Marcia D. Finn
Acting District Director/LHWCA